

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. Specifically, the invention as claimed loads a user interface for a device coupled to a home network from a remote source. Furthermore, the remote source is coupled to a remote network to provide the user interface to a plurality of different home networks. No new matter has been added as a result of these amendments.

Withdrawing the Finality of Previous Office Action

Applicant submitted a Request for Continued Examination (RCE) on August 31, 2004. The Examiner apparently accepted the RCE and withdrew the finality of the June 2, 2004 Office Action, although the Examiner did not state this in the most recent Office Action. Applicant respectfully requests the Examiner notify Applicant in the next Office correspondence that the finality of the previous Office Action is removed (MPEP 706.07(h)).

Furthermore, the Examiner states in the Office Action that the Examiner is responding to Applicant's response filed on either December 12, 2004 or May 25, 2004. Applicant respectfully believes that the Examiner meant to refer to the response filed August 31, 2004 and requests the Examiner correct this belief if incorrect.

Rejections

Rejections under 35 U.S.C. § 102(e)

Claims 1, 3-6, 9, 10, 29, 31-34, 37 and 38

Claims 1, 3-6, 9, 10, 29, 31-34, 37 and 38 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Humpleman et. al., U.S. Patent No. 6,603,488. Applicant

respectfully submits that claims 1, 3-11, 13-25, 27-29 and 31-38 are not anticipated by Humpleman.

Humpleman discloses a system for controlling a set of audio-visual devices connected to a home network through a single controller, such as a TV. The controller loads device user interfaces (UIs) from each connected device and presents the UIs on the controller's display. The controller and devices are connected on the same home network. In addition, a user can remotely control an audio-visual device through the Internet via an Internet proxy connected to the home network.

Applicant respectfully submits that Humpleman does not teach or suggest each and every limitation of Applicant's invention as claimed. In claims 1 and 29, as amended, Applicant claims loading a device UI from a remote source, where the remote source is coupled to a remote network to provide the device UI to a number of different home networks. In contrast, Humpleman only discloses loading a device UI from a home network device or remotely controlling the home network device through the Internet. This disclosure is not equivalent to Applicant's claimed invention because whereas Humpleman discloses the home network device (i.e., the audio-visual device) connected to the home network as providing the UI, Applicant claims a remote source connected to a remote network as providing the UI. In addition, Humpleman does not teach or suggest a remote source providing the device UI for a number of different home networks as claimed.

Furthermore, the Examiner asserts Humpleman discloses loading a UI from a non-home network source because Humpleman discloses the user can remotely control the home network device from the Internet through an Internet proxy attached to the home network. As stated above, this disclosure is not equivalent to Applicant's claimed invention because Humpleman discloses the home device connected to the home network providing the UI and Applicant claims a remote source connected to a remote network providing the UI. In addition, Humpleman does not teach or suggest a remote source providing the device UI to a number of different home networks as claimed.

Because Humpleman does not teach each and every claim limitation, Humpleman cannot be properly interpreted as anticipating Applicant's invention as claimed in claims 1 and 29 and the claims 3-6, 9, 10, 31-34 and 37 that depend on them.

Accordingly, Applicant respectfully submits that the invention as claimed in claims 1, 3-6, 9, 10, 29, 31-34, 37 and 38 is not anticipated by Humpleman under 35 U.S.C. § 102(e) and respectfully requests the withdrawal of the rejection of the claims.

Rejections under 35 U.S.C. § 103

Claims 7, 8, 11, 13-25, 27, 28, 35 and 36

Claims 7, 8, 11, 13-25, 27, 28, 35 and 36 stand rejected under 35 U.S.C. § 103(a) as being obvious over Humpleman in view of Kavensky et. al, U.S. Patent No. 6,300,947. Applicant respectfully submits that the combination does not teach each and every element of the invention as claimed in claims 7, 8, 11, 13-25, 27, 28, 35 and 36.

Kavensky discloses providing a web page for varying types of display sizes. A web page adaptor module determines if the requested web page can be adequately displayed. If not, the web page adaptor module searches for a suitable replacement web page.

In claims 7, 8, 11, 13-25, 27, 28, 35 and 36 Applicant claims loading a basic operative UI for the device if a particular UI is not found. The Examiner admits that Humpleman does not teach this limitation and relies on Kavensky as disclosing the element. However, as stated in Applicant's August 31, 2004 response, Kavensky discloses only searching for a suitable replacement web page that can be adequately displayed, which is not equivalent to loading a basic operative device UI. Furthermore, since the Examiner did not rebut this argument and merely repeated the claim rejections for claims 7, 8, 11, 13-25, 27, 28, 35 and 36, Applicant respectfully submits that the Examiner has acquiesced to Applicant's argument. Therefore, Kavensky does not teach or suggest the claimed element of loading a basic operative UI for the device if a particular UI is not found.

Because Kavensky does not teach or suggest the claimed element and the Examiner admits the claimed element is missing in Humpleman, the combination cannot be properly interpreted as disclosing each and every claimed limitation. Therefore the combination of Humpleman and Kavensky cannot render as obvious Applicant's invention as claimed in claims 7, 8, 11, 13-25, 27, 28, 35 and 36. Applicant respectfully

requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

Claims 2 and 30

Claims 2 and 30 stand rejected under 35 U.S.C. § 103(a) as being obvious over Humpleman in view of Ramachandran et. al, U.S. Patent No. 6,631,351. Applicant respectfully submits that the combination does not teach each and every element of the invention as claimed in claims 2 and 30. Claims 2 and 30 depend from claims 1 and 29, respectively. Because Humpleman does not teach or suggest loading a device UI from a remote source, where the remote source is coupled to a remote network to provide the device UI to a number of different home networks, Ramachandran must disclose at the least the missing elements from the independent claims in order to have a proper *prima facie* case for the dependent claims. However, Ramachandran is directed towards toys that communicate wirelessly and contains no disclosure teaching or suggesting a UI as claimed. Thus, the combination cannot render obvious Applicant's invention as claimed in claims 1 and 29, and claims 2 and 30 that depend from them. Therefore, Applicant respectfully requests the withdrawal of the rejection of the claims 2 and 30 under 35 U.S.C. § 103(a) over the combination.

Claims 12 and 26

Claims 12 and 26 stand rejected under 35 U.S.C. § 103(a) as being obvious over Humpleman in view of Ramachandran and Kavensky. As stated in Applicant's August 31, 2004 response, this combination does not teach each and every element of the invention as claimed in claims 12 and 26. Claims 12 and 26 depend on claims 11 and 19, respectively. The Examiner admits Humpleman does not teach or suggest loading a basic operative device UI if the particular user interface is not found as claimed in claims 11 and 19. However, as stated previously, neither Ramachandran nor Kavensky teach or suggest this element. Therefore, Applicant respectfully requests the withdrawal of the rejection of the claims 12 and 26 under 35 U.S.C. § 103(a) over the combination.

SUMMARY

Claims 1-38 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8200 x258.

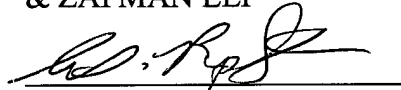
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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